

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**KATRISSE JONES,
BOP ID # 23370-056,**

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

**MOTION TO VACATE
28 U.S.C. § 2255**

**CRIMINAL ACTION FILE
NO. 1:20-CR-456-MHC-RDC**

**CIVIL ACTION FILE
NO. 1:22-CV-2923-MHC-RDC**

ORDER

Movant Katriss Jones has filed a motion to vacate, set aside, or correct an allegedly illegal sentence in accordance with 28 U.S.C. § 2255 [Doc. 55]. This matter is before the Court on the Final Report and Recommendation of the Magistrate Judge (“R&R”) [Doc. 57] recommending that the motion to vacate be dismissed as untimely and that a certificate of appealability not be issued. The Order for Service of the R&R [Doc. 58] provided notice that, in accordance with 28 U.S.C. § 636(b)(1), the parties were authorized to file objections within fourteen (14) days of the receipt of that Order. No objections have been filed within the permitted time period.

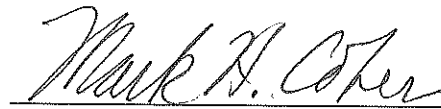
Absent objection, the district court judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge[.]” 28 U.S.C. § 636(b)(1). Based upon the absence of objections to the R&R, in accordance with 28 U.S.C. § 636(b)(1), the Court has reviewed the R&R for plain error. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983). The Court finds no plain error and that the R&R is supported by law.

The Court **APPROVES AND ADOPTS** the Final Report and Recommendation [Doc. 57] as the opinion and order of the Court. It is hereby **ORDERED** that Movant’s motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 is **DISMISSED** as untimely.

It is further **ORDERED** that a certificate of appealability is **DENIED** because Movant has not met the requisite standard. Movant may not appeal the denial of her motion but may seek a certificate from the United States Court of Appeals for the Eleventh Circuit under Federal Rule of Appellate Procedure 22. Rule 11(a), Rules Governing § 2255 Proceedings for the United States District Courts.

The Clerk is **DIRECTED** to close the civil case file.

IT IS SO ORDERED this 21st day of September, 2022.

A handwritten signature in cursive script, reading "Mark H. Cohen", written in black ink.

MARK H. COHEN

United States District Judge